

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TRISHA ELAINE MILLARD,

Defendant.

No. 15-CR-2038-LRR

ORDER

The matter before the court is United States Chief Magistrate Judge Jon S. Scoles's Report and Recommendation (docket no. 59), which recommends that the court deny Defendant Trisha Elaine Millard's "Motion to Suppress" ("Motion") (docket no. 33).

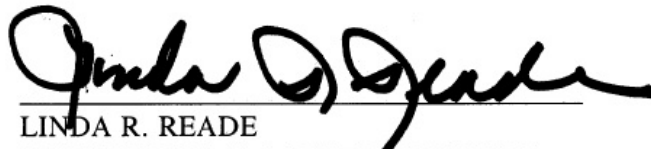
On October 14, 2015, Defendant filed the Motion, which seeks to suppress evidence obtained from a June 4, 2015 stop of Defendant's vehicle and subsequent statements made by Defendant at the police station. On October 21, 2015, the government filed a Resistance (docket no. 43). On November 5, 2015, Judge Scoles held a hearing on the Motion. *See* November 5, 2015 Minute Entry (docket no. 52). Defendant appeared in court with his attorney, Michael Lindeman. Assistant United States Attorney Lisa C. Williams represented the government. On November 10, 2015, Judge Scoles issued the Report and Recommendation. The Report and Recommendation states that "within fourteen (14) days after being served with a copy of this Report and Recommendation, any party may serve and file written objections with the district court." Report and Recommendation at 8.

The time to object to the Report and Recommendation has expired and neither party has filed objections. The parties have thus waived their right to de novo review of the Report and Recommendation. *See, e.g., United States v. Newton*, 259 F.3d 964, 966 (8th Cir. 2001) ("[A party's] failure to file any objections waived his right to de novo review

by the district court of any portion of the report and recommendation of the magistrate judge as well as his right to appeal from the findings of fact contained therein.’” (quoting *Griffini v. Mitchell*, 31 F.3d 690, 692 (8th Cir. 1994))). The court finds no plain error in Judge Scoles’s decision. Accordingly, the court **ADOPTS** the Report and Recommendation (docket no. 59). The Motion to Suppress (docket no. 33) is **DENIED**.

IT IS SO ORDERED.

DATED this 25th day of November, 2015.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA